

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF**

In re: §  
§ GIANACAKOS, JAMES § Case No. 09-05212  
§ GIANACAKOS, KATHLEEN §  
§ Debtor(s) §

## **TRUSTEE'S FINAL REPORT (TFR)**

The undersigned trustee hereby makes this Final Report and states as follows:



4. The trustee realized gross receipts of \$

Funds were disbursed in the following amounts:

- Payments made under an interim disbursement
- Administrative expenses
- Bank service fees
- Other payments to creditors
- Non-estate funds paid to 3<sup>rd</sup> Parties
- Exemptions paid to the debtor
- Other payments to the debtor

Leaving a balance on hand of<sup>1</sup> \$

The remaining funds are available for distribution.

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<sup>1</sup> The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. §326(a) on account of the disbursement of the additional interest.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

6. The deadline for filing non-governmental claims in this case was \_\_\_\_\_ and the deadline for filing governmental claims was \_\_\_\_\_. All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.

7. The Trustee's proposed distribution is attached as **Exhibit D**.

8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$ \_\_\_\_\_. To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$ \_\_\_\_\_ as interim compensation and now requests a sum of \$ \_\_\_\_\_<sup>2</sup>, for a total compensation of \$ \_\_\_\_\_. In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$ \_\_\_\_\_, and now requests reimbursement for expenses of \$ \_\_\_\_\_, for total expenses of \$ \_\_\_\_\_.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: \_\_\_\_\_ By:/s/BRENDA PORTER HELMS, TRUSTEE  
Trustee

**STATEMENT:** This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

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<sup>2</sup> If the estate is administratively insolvent, the dollar amounts reflected in this paragraph may be higher than the amounts listed in the Trustee's Proposed Distribution (Exhibit D).

Case No: 09-05212 CAS Judge: DONALD R. CASSLING  
 Case Name: GIANACAKOS, JAMES  
 GIANACAKOS, KATHLEEN  
 For Period Ending: 11/04/13

Trustee Name: BRENDA PORTER HELMS, TRUSTEE  
 Date Filed (f) or Converted (c): 02/18/09 (f)  
 341(a) Meeting Date: 03/24/09  
 Claims Bar Date: 11/06/09

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. 1996 Chevrolet Corvette	8,000.00	0.00		4,948.00	FA
2. Post-Petition Interest Deposits (u)	Unknown	0.00		2.54	FA
3. REAL PROPERTY	495,000.00	0.00		0.00	FA
4. CASH ON HAND	500.00	0.00		0.00	FA
5. BANK ACCOUNTS	1,800.00	0.00		0.00	FA
6. HOUSEHOLD GOODS AND FURNISHINGS	2,150.00	0.00		0.00	FA
7. WEARING APPAREL AND JEWELRY	2,760.00	0.00		0.00	FA
8. OFFICE EQUIPMENT, FURNISHINGS, AND	200.00	0.00		0.00	FA
9. 2001 LINCOLN CONTINENTAL	5,000.00	0.00		3,020.00	FA

Gross Value of Remaining Assets  
 TOTALS (Excluding Unknown Values) \$515,410.00 \$0.00 \$7,970.54 \$0.00  
 (Total Dollar Amount in Column 6)

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Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

TFR has been submitted to UST

Initial Projected Date of Final Report (TFR): 12/31/20

Current Projected Date of Final Report (TFR): 12/31/12

/s/ BRENDA PORTER HELMS, TRUSTEE

Date: 11/04/13

BRENDA PORTER HELMS, TRUSTEE

**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No:	09-05212 -CAS	Trustee Name:	BRENDA PORTER HELMS, TRUSTEE
Case Name:	GIANACAKOS, JAMES	Bank Name:	ASSOCIATED BANK
	GIANACAKOS, KATHLEEN	Account Number / CD #:	*****1194 Checking - Non Interest
Taxpayer ID No:	*****5419	Blanket Bond (per case limit):	\$ 5,000,000.00
For Period Ending:	11/04/13	Separate Bond (if applicable):	

1	2	3	4	5	6	7	
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
			BALANCE FORWARD				0.00
09/14/12		Trsf In From BANK OF AMERICA, N.A.	INITIAL WIRE TRANSFER IN	9999-000	6,364.89		6,364.89
10/16/12		ASSOCIATED BANK	BANK SERVICE FEE	2600-000		2.22	6,362.67
11/05/12		ASSOCIATED BANK	BANK SERVICE FEE	2600-000		4.05	6,358.62
12/07/12		ASSOCIATED BANK	BANK SERVICE FEE	2600-000		3.92	6,354.70
01/08/13		ASSOCIATED BANK	BANK SERVICE FEE	2600-000		4.05	6,350.65
02/07/13		ASSOCIATED BANK	BANK SERVICE FEE	2600-000		10.00	6,340.65
02/15/13	010001	International Sureties Ltd	Bond #016026455	2300-000		5.68	6,334.97
03/07/13		ASSOCIATED BANK	BANK SERVICE FEE	2600-000		10.00	6,324.97
04/05/13		ASSOCIATED BANK	BANK SERVICE FEE	2600-000		10.00	6,314.97
04/11/13	9	All Aboard Diner 151B 75th St Downers Grove IL 60516	debtors equity in vehicles	1129-000	1,000.00		7,314.97
05/07/13		ASSOCIATED BANK	BANK SERVICE FEE	2600-000		10.04	7,304.93
06/07/13		ASSOCIATED BANK	BANK SERVICE FEE	2600-000		10.86	7,294.07
07/08/13		ASSOCIATED BANK	BANK SERVICE FEE	2600-000		10.49	7,283.58
08/07/13		ASSOCIATED BANK	BANK SERVICE FEE	2600-000		10.83	7,272.75
08/16/13	1	All Aboard Diner Inc.	debtors equity in vehicles	1129-000	300.00		7,572.75
08/27/13	9	All Aboard Diner	debtors interest in vehicle	1129-000	200.00		7,772.75
09/09/13		ASSOCIATED BANK	BANK SERVICE FEE	2600-000		11.09	7,761.66

Page Subtotals

7,864.89

103.23

Ver: 17.03a

**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No:	09-05212 -CAS	Trustee Name:	BRENDA PORTER HELMS, TRUSTEE
Case Name:	GIANACAKOS, JAMES	Bank Name:	ASSOCIATED BANK
	GIANACAKOS, KATHLEEN	Account Number / CD #:	*****1194 Checking - Non Interest
Taxpayer ID No:	*****5419	Blanket Bond (per case limit):	\$ 5,000,000.00
For Period Ending:	11/04/13	Separate Bond (if applicable):	

1	2	3	4	5	6	7	
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
			COLUMN TOTALS		7,864.89	103.23	7,761.66
			Less: Bank Transfers/CD's		6,364.89	0.00	
			Subtotal		1,500.00	103.23	
			Less: Payments to Debtors			0.00	
			Net		1,500.00	103.23	

Page Subtotals 0.00 0.00

**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No:	09-05212 -CAS	Trustee Name:	BRENDA PORTER HELMS, TRUSTEE
Case Name:	GIANACAKOS, JAMES	Bank Name:	BANK OF AMERICA, N.A.
	GIANACAKOS, KATHLEEN	Account Number / CD #:	*****7886 Money Market - Interest Bearing
Taxpayer ID No:	*****5419		
For Period Ending:	11/04/13	Blanket Bond (per case limit):	\$ 5,000,000.00
		Separate Bond (if applicable):	

1	2	3	4	5	6	7	
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
09/03/09	1	James and Kathleen Gianacakos 8433 Creekside Lane Darien IL 60561	BALANCE FORWARD buyback of equity in vehicles	1129-000	664.00		0.00 664.00
09/30/09	2	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.01		664.01
10/07/09	1	JAMES GIANACAKOS 8433 CREEKSIDE LANE DARIEN, IL 60561	DEBTOR'S EQUITY IN VEHICLES	1129-000	664.00		1,328.01
10/30/09	2	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.03		1,328.04
11/30/09	1	Kathleen Gianacakos 8433 Creekside Lane Darien IL 60561	partail payment on equity in vehice	1129-000	664.00		1,992.04
11/30/09	2	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.03		1,992.07
12/31/09	2	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.05		1,992.12
01/04/10	1	James and Kathleen Gianacakos 8433 Creekside Lane Darien IL 60561	debtors equity in vehicle	1129-000	664.00		2,656.12
01/29/10	2	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.05		2,656.17
02/26/10	2	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.06		2,656.23
03/04/10	1	All Aboard Diner Inc. 1510B 75th St Downers Grove IL 60516	debtors equity in vehicles	1129-000	664.00		3,320.23
03/06/10	000101	International Sureties Ltd 701 Polydras St. #420 New Orleans LA 70139	bond premium	2300-000		2.82	3,317.41
03/31/10	2	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.08		3,317.49
04/10/10	9	All Aboard Diner 1510B 75th St Dowerns Grove IL 60516	debtors equity in vehicles	1229-000	664.00		3,981.49

Page Subtotals

3,984.31

2.82

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**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No:	09-05212 -CAS	Trustee Name:	BRENDA PORTER HELMS, TRUSTEE
Case Name:	GIANACAKOS, JAMES	Bank Name:	BANK OF AMERICA, N.A.
	GIANACAKOS, KATHLEEN	Account Number / CD #:	*****7886 Money Market - Interest Bearing
Taxpayer ID No:	*****5419	Blanket Bond (per case limit):	\$ 5,000,000.00
For Period Ending:	11/04/13	Separate Bond (if applicable):	

1	2	3	4	5	6	7	
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
04/30/10	2	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.09		3,981.58
05/28/10	1	All Aboard Diner Inc. 1510B 75th St Downers Gove IL 60516	debtors equity in vehicles	1129-000	664.00		4,645.58
05/28/10	2	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.09		4,645.67
06/30/10	2	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.12		4,645.79
07/30/10	2	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.11		4,645.90
08/13/10	9	James and Kathleen Gianacakos 8433 Creekside Lane Darien IL 60561	debtors equity in vehicles	1129-000	664.00		5,309.90
08/31/10	2	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.13		5,310.03
09/30/10	2	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.13		5,310.16
10/29/10	2	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.13		5,310.29
11/05/10	1	All Aboard Diner Inc.	Settlement with Debtor	1129-000	664.00		5,974.29
11/30/10	2	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.15		5,974.44
12/31/10	2	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.15		5,974.59
01/31/11	2	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.15		5,974.74
02/19/11	000102	International Sureties 701 Polydras St. #420 New Orleans LA 70139	2011 - 2012 bond payment	2300-000		4.54	5,970.20
02/28/11	2	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.05		5,970.25
03/31/11	2	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.05		5,970.30
04/29/11	2	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.05		5,970.35
05/31/11	2	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.05		5,970.40
06/30/11	2	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.05		5,970.45
07/29/11	2	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.05		5,970.50
08/31/11	2	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.05		5,970.55
09/30/11	2	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.05		5,970.60
10/31/11	2	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.05		5,970.65

Page Subtotals

1,993.70

4.54

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Case No:	09-05212 -CAS	Trustee Name:	BRENDA PORTER HELMS, TRUSTEE
Case Name:	GIANACAKOS, JAMES	Bank Name:	BANK OF AMERICA, N.A.
	GIANACAKOS, KATHLEEN	Account Number / CD #:	*****7886 Money Market - Interest Bearing
Taxpayer ID No:	*****5419		
For Period Ending:	11/04/13	Blanket Bond (per case limit):	\$ 5,000,000.00
		Separate Bond (if applicable):	

1	2	3	4	5	6	7	
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
10/31/11		BANK OF AMERICA, N.A.	BANK SERVICE FEE	2600-000			5,963.04
11/30/11	2	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.05		5,963.09
11/30/11		BANK OF AMERICA, N.A.	BANK SERVICE FEE	2600-000			5,955.74
12/30/11	2	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.05		5,955.79
12/30/11		BANK OF AMERICA, N.A.	BANK SERVICE FEE	2600-000			5,948.45
01/05/12	9	James and Kathleen Gianacakos 8433 Creekside Lane Darien IL 60561		1129-000	492.00		6,440.45
01/31/12	2	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.05		6,440.50
01/31/12		BANK OF AMERICA, N.A.	BANK SERVICE FEE	2600-000			6,432.28
02/29/12	2	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.05		6,432.33
02/29/12	000103	Intrenational Sureties Ltd.	Trustee bond	2300-000			6,423.82
02/29/12		BANK OF AMERICA, N.A.	BANK SERVICE FEE	2600-000			6,416.18
03/30/12	2	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.05		6,416.23
03/30/12		BANK OF AMERICA, N.A.	BANK SERVICE FEE	2600-000			6,408.34
04/30/12	2	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.05		6,408.39
04/30/12		BANK OF AMERICA, N.A.	BANK SERVICE FEE	2600-000			6,400.25
05/31/12	2	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.05		6,400.30
05/31/12		BANK OF AMERICA, N.A.	BANK SERVICE FEE	2600-000			6,392.17
06/29/12	2	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.05		6,392.22
06/29/12		BANK OF AMERICA, N.A.	BANK SERVICE FEE	2600-000			6,384.62
07/31/12	2	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.06		6,384.68
07/31/12		BANK OF AMERICA, N.A.	BANK SERVICE FEE	2600-000			6,376.31
08/31/12	2	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.05		6,376.36
08/31/12		BANK OF AMERICA, N.A.	BANK SERVICE FEE	2600-000			6,368.26
09/14/12	2	BANK OF AMERICA, N.A. 901 MAIN STREET 10TH FLOOR	INTEREST RECD FROM BANK	1270-000	0.02		6,368.28
09/14/12		BANK OF AMERICA, N.A.	BANK FEES	2600-000			6,364.89

Page Subtotals

492.53

98.29

Ver: 17.03a

**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No:	09-05212 -CAS	Trustee Name:	BRENDA PORTER HELMS, TRUSTEE
Case Name:	GIANACAKOS, JAMES	Bank Name:	BANK OF AMERICA, N.A.
	GIANACAKOS, KATHLEEN	Account Number / CD #:	*****7886 Money Market - Interest Bearing
Taxpayer ID No:	*****5419	Blanket Bond (per case limit):	\$ 5,000,000.00
For Period Ending:	11/04/13	Separate Bond (if applicable):	

1	2	3	4	5	6	7	
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
09/14/12		DALLAS, TX 75283 Trsf To ASSOCIATED BANK	FINAL TRANSFER	9999-000		6,364.89	0.00

COLUMN TOTALS	6,470.54	6,470.54	0.00
Less: Bank Transfers/CD's	0.00	6,364.89	
Subtotal	6,470.54	105.65	
Less: Payments to Debtors		0.00	
Net	6,470.54	105.65	
 TOTAL - ALL ACCOUNTS	 NET DEPOSITS	 NET DISBURSEMENTS	 ACCOUNT BALANCE
Checking - Non Interest - *****1194	1,500.00	103.23	7,761.66
Money Market - Interest Bearing - *****7886	6,470.54	105.65	0.00
 -----	 -----	 -----	 -----
	7,970.54	208.88	7,761.66
 -----	 -----	 -----	 -----
(Excludes Account Transfers)	(Excludes Payments To Debtors)	Total Funds On Hand	

/s/ BRENTA PORTER HELMS, TRUSTEE

Trustee's Signature: \_\_\_\_\_ Date: 11/04/13

BRENTA PORTER HELMS, TRUSTEE

Page Subtotals 0.00 6,364.89

### TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 09-05212

Case Name: GIANACAKOS, JAMES

GIANACAKOS, KATHLEEN

Trustee Name: BRENDA PORTER HELMS, TRUSTEE

Balance on hand	\$
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Claims of secured creditors will be paid as follows:

NONE

Applications for chapter 7 fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
Trustee Fees: BRENDA PORTER HELMS, TRUSTEE	\$	\$	\$
Other: International Sureties	\$	\$	\$

Total to be paid for chapter 7 administrative expenses \$ \_\_\_\_\_

Remaining Balance \$ \_\_\_\_\_

Applications for prior chapter fees and administrative expenses have been filed as follows:

NONE

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$ must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

NONE

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$ have been allowed and will be paid *pro rata* only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
000001	AMERICAN INFOSOURCE LP AS AGENT FOR	\$	\$	\$
000002	DISCOVER BANK	\$	\$	\$
000003	Chase Bank USA, N.A.	\$	\$	\$
000004	PYOD LLC its successors and assigns	\$	\$	\$
000005	PYOD LLC its successors and assigns	\$	\$	\$
000006	PYOD LLC its successors and assigns	\$	\$	\$
000007	CAPITAL ONE BANK (USA), N.A.	\$	\$	\$
000008	CAPITAL ONE BANK (USA), N.A.	\$	\$	\$
000009	Chase Bank USA, N.A.	\$	\$	\$
10	FIA Card Services, Bank of America	\$	\$	\$
11	Midland Funding LLC	\$	\$	\$
12	GE Money Bank dba Sam's Club	\$	\$	\$

Total to be paid to timely general unsecured creditors \$ \_\_\_\_\_

Remaining Balance \$ \_\_\_\_\_

Tardily filed claims of general (unsecured) creditors totaling \$ \_\_\_\_\_ have been allowed and will be paid *pro rata* only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be \_\_\_\_\_ percent.

Tardily filed general (unsecured) claims are as follows:

NONE

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$ \_\_\_\_\_ have been allowed and will be paid *pro rata* only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be \_\_\_\_\_ percent.

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

NONE